

David P. Enzminger (SBN: 137065)  
denzminger@winston.com

James C. Lin (SBN: 271673)  
jalin@winston.com

WINSTON & STRAWN LLP  
275 Middlefield Road, Suite 205  
Menlo Park, California 94025-4004  
Telephone: (650) 858-6500  
Facsimile: (650) 858-6550

Michael A. Tomasulo (SBN: 179389)  
mtomasulo@winston.com

Gino Cheng (SBN: 259208)  
gcheng@winston.com

David K. Lin (SBN: 278404)  
dlin@winston.com

WINSTON & STRAWN LLP  
333 South Grand Avenue, 38th Floor  
Los Angeles, CA 90071-1543  
Telephone: (213) 615-1700  
Facsimile: (213) 615-1750

Dan K. Webb (pro hac vice)  
dwebb@winston.com

Kathleen B. Barry (pro hac vice)  
kbarry@winston.com

WINSTON & STRAWN LLP  
35 West Wacker Drive  
Chicago, IL 60601-9703  
Telephone: (312) 558-5600  
Facsimile: (312) 558-5700

Attorneys for Plaintiff  
ACTIVISION | BLIZZARD, INC.

PAUL ANDRE (SBN: 196585)  
pandre@kramerlevin.com

LISA KOBIALKA (SBN: 191404)  
lkobialka@kramerlevin.com

JAMES HANNAH (SBN: 237978)  
jhannah@kramerlevin.com

KRAMER LEVIN NAFTALIS &  
FRANKEL LLP  
990 Marsh Road  
Menlo Park, CA 94025  
Telephone: (650) 752-1700  
Facsimile: (650) 752-1800

Attorneys for Defendant  
ACCELERATION BAY LLC

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

ACTIVISION | BLIZZARD, INC., a Delaware  
Corporation,

Plaintiff,

v.

ACCELERATION BAY LLC, a Delaware  
Limited Liability Corporation,

Defendant.

Case No. 3:16-cv-03375-RS

**JOINT STIPULATION AND ~~[PROPOSED]~~**  
**ORDER TO CONSOLIDATE BRIEFING**  
**AND HEARING FOR ACCELERATION**  
**BAY LLC'S MOTION TO DISMISS OR**  
**TRANSFER PLAINTIFFS' COMPLAINTS**

Date: September 1, 2016  
Time: 1:30 pm  
Courtroom: 3, 17<sup>th</sup> Floor  
Before: Honorable Richard Seeborg

Pursuant to Civil Local Rule 6-2, Plaintiffs Take-Two Interactive Software, Inc. (“Take Two”), Rockstar Games, Inc. (“Rockstar”), 2K Sports, Inc. (“2K”), Activision Blizzard, Inc. (“Activision”), and Electronics Art, Inc. (“EA”) (collectively, “Plaintiffs”) and Defendant Acceleration Bay LLC (“Defendant”), by and through their respective counsel, do hereby stipulate and agree to the following:

**WHEREAS**, Plaintiffs filed Complaints against Defendant in Civil Action Nos. 3:16-cv-03375-RS, 3:16-cv-03377-RS, and 3:16-cv-03378-RS on June 16, 2016 (the “Actions”);

**WHEREAS**, the parties filed a Joint Administrative Motion to Consider Whether Cases Should be related on July 1, 2016;

**WHEREAS**, the Court granted the parties’ Motion to Relate Cases Civil Action Nos. 3:16-cv-03375-RS, 3:16-cv-03377-RS, and 3:16-cv-03378-RS on July 5, 2016;

**WHEREAS**, Defendant recently filed a Motion to Dismiss or Transfer Take-Two Interactive Software, et al.’s Complaint (“Motion”) on July 11, 2016 and filed Motions to Dismiss or Transfer in related Civil Action Nos. 3:16-cv-03375-RS and 3:16-cv-03378-RS on July 15, 2016;

**WHEREAS**, on July 13, 2016, counsel for the parties met and conferred pursuant to Fed. R. Civ. P. 16 and this Court’s Local Rules;

**WHEREAS**, the parties agree to streamline the briefing associated with the Motion and to have a single Opposition brief and a single Reply brief filed in all three actions in light of the fact that Defendant’s Motions seek the same relief and having separate deadlines in the three actions will result in unnecessary duplicate filings.

**WHEREAS**, the parties further agree to modify the deadline for the Opposition brief in all three actions to be due by July 29, 2016.

**WHEREAS**, the parties further agree to modify the deadline for the Reply brief in all three actions to be due by August 8, 2016.

**WHEREAS**, the requested modification to the Motion’s briefing schedule will have no effect on the schedule for this case, and the proposed hearing date of September 1, 2016 for the Motion remains the same as requested in Plaintiff’s Motion.

**IT IS HEREBY STIPULATED AND AGREED** by the parties that Plaintiffs will file a

1 single Opposition brief to the Motion in all three actions by July 29, 2016, Defendant will file a  
2 single Reply brief in support of the Motion in all three actions by August 8, 2016, and the proposed  
3 hearing date for the Motion remains on September 1, 2016, or such other date thereafter that is  
4 convenient for the Court.

5 **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.**

6  
7 Dated: July 19, 2016

WINSTON & STRAWN LLP

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9 By /s/ David P. Enzminger  
David P. Enzminger  
James C. Lin  
10 Michael A. Tomasulo  
11 Gino Cheng  
David K. Lin  
12 Dan K. Webb  
Kathleen B. Barry

13 Attorneys for Plaintiff  
14 ACTIVISION | BLIZZARD, INC.

15 Dated: July 19, 2016

KRAMER LEVIN NAFTALIS & FRANKEL LLP

16 By /s/ Lisa Kobialka  
17 PAUL ANDRE  
LISA KOBIALKA  
18 JAMES HANNAH  
990 Marsh Road  
Menlo Park, CA 94025  
19 Telephone: (650) 752-1700  
20 Facsimile: (650) 752-1800  
pandre@kramerlevin.com  
lkobialka@kramerlevin.com  
21 jhannah@kramerlevin.com

22 Attorneys for Defendant  
23 ACCELERATION BAY LLC  
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I, David P. Enzminger, am the ECF user whose ID and password are being used to file this JOINT STIPULATION AND [PROPOSED] ORDER TO CONSOLIDATE BRIEFING AND HEARING FOR ACCELERATION BAY LLC'S MOTION TO DISMISS OR TRANSFER PLAINTIFFS' COMPLAINTS. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that Defendant's counsel, Lisa Kobialka, has concurred in this filing.

~~[PROPOSED]~~ ORDER

Dated: 7/20/16

JUDGE HON. RICHARD SEEBORG